



Agenda Item Number: 2006-4-6F

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: April 11, 2006

Department: Infrastructure Planning and Geo Resources **Staff Contact:** Tim West, Deputy County Manager for Public Works
Steve Miller, Department Director
Raymond Orona, Rights of Way Manager

TITLE: Acquisition of Property for the Eubank Boulevard Project

ACTION: Motion to approve the acquisition of property by settlement action for rights-of-way on the Eubank Boulevard Project, North Albuquerque Acres from James R. Begley and Brenda M. Begley (Parcel 4-20) and Joseph Ron Martinez and Jill A. Martinez (Parcel 4-8).

SUMMARY:

These properties are needed as rights-of-way for the eventual construction of the Eubank Boulevard Project. The appraised value by Shipman/Foley & Associates, Inc. is \$285,000.00 for Parcel 4-20 and \$285,000.00 for Parcel 4-8. The offers to purchase were made accordingly. The owners of Parcel 4-20 made a counter-offer of \$309,189.41; upon continued negotiations, a settlement was reached at \$298,000.00 based on development costs expended by the property owner.

The owners of parcel 4-8 accepted the County's offer of \$285,000.00. While construction of the project is not imminent, these parcels are part of the anticipated design for the project as included in the Environmental Assessment footprint. The New Mexico Department of Transportation has concurred with the County's advanced acquisitions for the project. The Right of Way Section and the Real Estate Committee recommends that the County proceed. The details for the appraised values of this right-of-way taking are as follows:

For Parcel 4-20 (single vacant lot containing approximately 38,610 square feet)	\$298,000.00
Closing Costs (Sandia Title)	<u>1,930.75</u>
SUBTOTAL OFFER:	\$299,930.75
 For Parcel 4-8 (single vacant lot containing approximately 38,610 square feet)	 \$285,000.00
Closing Costs (First American Title Insurance Co.)	<u>1,811.83</u>
SUBTOTAL OFFER:	\$286,811.83
 TOTAL	 \$586,742.58

ATTACHMENTS:

1. Parcel Descriptions
2. Zone Atlas page
3. Valuation Analyses
4. Real Estate Committee Approval Letters
5. Agreements between County and Owner

FISCAL IMPACT

Eubank Road Improvements

BC28-566462-5300

\$586,742.58

STAFF ANALYSIS SUMMARY**COUNTY MANAGER**

Eubank Boulevard is one of the County's future road projects and acquisition now will avoid future increased costs and allow for adequate right of way. I recommend Board approval. TL 4/4/06

DEPUTY COUNTY MANAGER FOR PUBLIC WORKS

This action of acquisition begins assembling the required right-of-ways off which the reconstruction of Eubank Boulevard between San Antonio and Paseo Del Norte will be made in compliance with the Metropolitan Transportation Plan. An estimated 34 parcel acquisitions will be needed to widen Eubank Boulevard to four lanes and to construct the frontage road. I recommend approval. TW 3/27/06

LEGAL

Real Estate Committee has given approval. Approved as to form only. PFT 2/28/06

FINANCE**Budget**

Approval will allow the County to acquire the properties from Joseph Ron and Jill A. Martinez and from James R. and Brenda M. Begley for Right of Way on the Eubank Boulevard Project, North Albuquerque Acres. Funds are available from the County Roadway Impact Fees Fund, Eubank Right of Way and are budgeted in BC28-566462-5300. Amy Childers, Financial Services Administrator 3/27/06

Purchasing

No comment required as the acquisition of Real Property is not covered by the provisions of the State Procurement Code per Section 13-1-30 NMSA 1978. R. Suazo, Purchasing Administrator 3/27/06

Contracts

Contract Control Numbers have been issued for the Acquisition of Property by Settlement Action for Rights of Way on the Eubank Boulevard Project, North Albuquerque Acres as follows:

CCN 2006-0104 for James R. Begley and Brenda M. Begley (Parcel 4-20)

CCN 2006-0105 for Joseph Ron Martinez and Jill A. Martinez (Parcel 4-8)

Risk Management

No comment required. David Baca, Risk Management 3/27/06